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Plaintiff in pro per

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RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

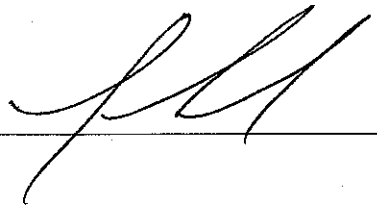
James Alan Bush,)	Case No.: C 08-01354 (RS) JF
)	
Petitioner,)	NOTICE OF AMENDED MOTION AND
)	AMENDED MOTION TO EXPEDITE
v.)	DISCOVERY
)	
Suzie DOE, Santa Clara County)	[Fed. R. Civ. P. Rules 26(D), 33(A)]
Adult Probation Department,)	
Origen Financial,)	
)	
Respondents.)	Judge Jeremy Fogel
)	

NOTICE OF AMENDED MOTION TO EXPEDITE DISCOVERY

To all Respondents, and their respective counsel:

PLEASE TAKE NOTICE that on Friday, May 23rd, 2008, at 9:00 AM, or
as soon after as counsel can be heard, at the United States District
Court, Northern District of California, San Jose Division, Courtroom 3,
5th Floor, at 280 South First Street, in San Jose, the undersigned will

bring the following motion on for hearing.

Signed: 

Dated: 5-19-08

MOTION TO EXPEDITE DISCOVERY

Petitioner files this motion to expedite discovery, seeking discovery in advance of the Rule 26(f) discovery conference, and, in particular, asking this Court to order Respondents, Santa Clara County Adult Probation Department and Origen Financial, and each of them, to provide the true and assumed names of Respondent, Suzie DOE, and her employment status, and job title(s) and duties. A photo of the aforementioned respondent is attached hereto as Exhibit "C", and made a part hereof.

Petitioner also asks this Court to order Respondent, Suzie DOE, to provide a complete two-year employment history for every employer, whether her position is/was temporary or permanent, part-time or full-time, paid or volunteer, or governmental or private.

GROUND FOR RELIEF

Plaintiff alleges that Defendant, Suzie DOE, interfered with the discovery of matters pertinent to litigation involving the foreclosure, and the subsequent private sale of, Plaintiff's home, by intercepting phone communications between Plaintiff and Origen Financial and then providing Plaintiff with erroneous information.

Two audio excerpts from Plaintiff's phone conversations with Respondent, Suzie DOE, one in her capacity as a clerk for the Santa

1 Clara County Adult Probation Department, and, the other, a customer
2 service representative at Origen Financial, are compared in Exhibit "A",
3 which is attached hereto and made a part hereof.

4 Plaintiff requires discovery of the above-described information
5 to 1) determine whether a cause of action exists for unlawful
6 interception, use, and disclosure of confidential communications by a
7 nongovernmental defendant, in violation of Title 18 U.S.C.S. § 2511(1)(a),
8 or a constitutional violation of invasion of privacy under color of law
9 (for purposes of Title 42 U.S.C.S. § 1983); and, 2) to sufficiently plead
10 a cause of action for tortious interference with economic expectancy
11 and/or the deprivation of a property interest without due process of law
12 (Art. XIV, U.S. Constitution).

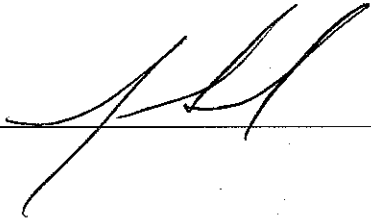
13 14 REQUEST FOR EXPEDITED HEARING ON MOTION

15 Plaintiff prays the Court to hear his motion as soon as possible,
16 as Plaintiff intends to seek to enjoin the unlawful interception of
17 phone communications by Respondent, Suzie DOE, to prevent further
18 injury and harm. Accordingly, Plaintiff respectfully requests a hearing
19 on this motion to be set for Friday, March 23rd, 2008, at 9:00 AM.

20 21 RECORDS ON MOTION

22 This motion is based on the information contained in this document,
23 its exhibits, a declaration of plaintiff in support of this motion, and
24 the Certificate of Service showing service of these motion papers to
25 the District Attorney for the County of Santa Clara, Santa Clara County
26 Adult Probation Department, Origen Financial, and Suzie DOE. The motion

1 is also based on the complaint already on file in this action, and on
2 whatever evidence and argument may be presented at any hearing on this
3 motion.

4
5 Signed:  _____

Dated: 5-18-08